

In the General Assembly read three times and ratified, this the 14th day of May, 1973.

H. B. 1127

CHAPTER 476

AN ACT TO FURTHER EFFECTUATE THE REORGANIZATION OF STATE GOVERNMENT #2.

The General Assembly of North Carolina enacts:

Section 1. Short title.—This act shall be known and may be cited as the “Executive Organization Act of 1973.”

Sec. 2. Interim applicability of the Executive Organization Act of 1973.—The Executive Organization Act of 1973 shall be applicable only to the following named departments:

1. Department of Cultural Resources
2. Department of Human Resources
3. Department of Revenue.

Sec. 3. Definitions.—As used in the Executive Organization Act of 1973, except where the context clearly requires otherwise, the words and expressions defined in this section shall be held to have the meanings here given to them.

(1) Agency: whenever the term “agency” is used it shall mean and include, as the context may require, an existing department, institution, commission, committee, board, division, bureau, officer or official.

(2) Board: a collective body which assists the head of a principal department or his designee in the development of major programs including the tender of advice on departmental priorities.

(3) Commission: a collective body which adopts rules and regulations in a quasi-legislative manner and which acts in a quasi-judicial capacity in rendering findings or decisions involving differing interests.

(4) Committee: a collective body which either advises the head of a principal department or his designee or advises a commission in detailed technical areas.

(5) Council: a collective body which advises the head of a principal department or his designee as representative of citizen advice in specific areas of interests.

(6) Division: the principal subunit of a principal State department.

(7) Head of department: head of one of the principal State departments.

(8) Higher education: State senior institutions of higher learning.

(9) Principal State department: one of the departments created by the General Assembly in compliance with Article III, Section 11, of the Constitution of North Carolina.

Sec. 4. Policy making authority and administrative powers of Governor; delegation.—The Governor, in accordance with Article III of the Constitution of North Carolina, shall be the Chief Executive Officer of the State. The Governor shall be responsible for formulating and administering the policies of the executive branch of the State government. Where a conflict arises in connection with the administration of the policies of the executive branch of the State government with respect to the reorganization of State government, the conflict shall be resolved by the Governor, and the decision of the Governor shall be final.

Sec. 5. Governor; continuation of powers and duties.—All powers, duties, and functions vested by law in the Governor or in the office of Governor are